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UNITED STATES DISTRICT COURT  
  
FOR THE DISTRICT OF OREGON  
  
PORTLAND DIVISION

DISABILITY RIGHTS OREGON,  
METROPOLITAN PUBLIC DEFENDER  
SERVICES, INC., and A.J. MADISON,

*Plaintiffs,*

v.

DAVID BADEN, in his official capacity as head  
of the Oregon Health Authority, and DOLORES  
MATTEUCCI, in her official capacity as  
Superintendent of the Oregon State Hospital

*Defendants,*

and

LEGACY EMANUEL HOSPITAL &  
HEALTH CENTER d/b/a UNITY CENTER  
FOR BEHAVIORAL HEALTH LEGACY  
HEALTH SYSTEM, PEACEHEALTH, and  
PROVIDENCE HEALTH & SERVICES,

*Intervenors.*

Case No. 3:02-cv-00339-MO (Lead Case)  
Case No. 3:21-cv-01637-MO (Member Case)  
Case No. 6:22-cv-01460-MO (Member Case)

**DECLARATION OF RYAN MATTHEWS**

**in Support of Marion County's Motion to  
Intervene**

JAROD BOWMAN and  
JOSHAWN DOUGLAS- SIMPSON,

*Plaintiffs,*

v.

DOLORES MATTEUCCI, Superintendent of the  
Oregon State Hospital, in her individual and  
official capacity, DAVID BADEN, Director of  
the Oregon Health Authority, in his official  
capacity, and PATRICK ALLEN in his  
individual capacity,

*Defendants,*

and

LEGACY EMANUEL HOSPITAL & HEALTH  
CENTER d/b/a UNITY CENTER FOR  
BEHAVIORAL HEALTH LEGACY HEALTH  
SYSTEM, PEACEHEALTH, and  
PROVIDENCE HEALTH & SERVICES,

*Intervenors.*

LEGACY EMANUEL HOSPITAL & HEALTH  
CENTER d/b/a UNITY CENTER FOR  
BEHAVIORAL HEALTH; LEGACY HEALTH  
SYSTEM; PEACEHEALTH; and  
PROVIDENCE HEALTH & SERVICES  
OREGON,

*Plaintiffs,*

v.

DAVID BADEN, in his official capacity as  
Director of Oregon Health Authority,

*Defendant.*

3:21-CV-01637-MO (Member Case)

6:22-cv-01460-MO (Member Case)

I, Ryan Matthews, under penalty of perjury declare that the following is true and based upon my personal knowledge:

1. I am employed with Marion County Health and Human Services as the Health Administrator and have served in this capacity at all times relevant to this litigation.

2. I have served with Marion County Health and Human Services since 2004.

Page 2 - **DECLARATION OF RYAN MATTHEWS**

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3. I make this declaration from a combination of personal knowledge and my review of records and oversight of Marion County Health and Human Services.

4. This declaration is offered in support of Marion County's Motion to Intervene.

5. Since this Court's September 1, 2022, order limiting the duration of inpatient restoration at the Oregon State Hospital ("Mosman Order") came into effect, Marion County's community restoration programs have experienced an unprecedented surge in cases. As of the time of writing, our community restoration case load has approximately tripled and future projections suggest that this number will only continue to grow.

6. This sudden increase in cases has stressed Marion County's community restoration program nearly to its breaking point.

7. Prior to the implementation of the Mosman Order, Marion County was already experiencing the effects of a system-wide shortage of behavioral health staff. In the time since, hiring and retaining qualified mental health providers to support outpatient treatment has not become any easier. As a result, Marion County remains severely understaffed relative to the demand for community restoration services and is unable to provide the care necessary for all individuals in need.

8. Prior to the implementation of the Mosman Order, there was also already an extreme shortage of Secure Residential Treatment Facility ("SRTF") beds that has not improved in the months since. This shortage severely limits Marion County's ability to place individuals who require residential care to regain fitness to proceed into an appropriate facility. SRTF facilities are frequently so full that they will not even accept referrals for their waitlists.

9. In some cases, Marion County's community restoration program also lacks the resources necessary to even provide individuals with appropriate medication. Because

individuals discharged from the Oregon State Hospital (“OSH”) have not yet reached a point of even relative stability, prescribers in the community are often unwilling to administer injectable medications due to liability concerns and jails are often unable to administer such medications because staff lack the appropriate training. The end result is that some individuals on community restoration simply receive no treatment to regain fitness to proceed.

10. The current status quo constitutes a significant public safety issue. Many of the individuals returned to Marion County from OSH have been charged with violent crimes and would have previously remained on secure commitment prior to the Mosman Order. While on community restoration, Marion County has no means of preventing them from leaving services. As a result, 10 individuals already have simply left their placements into the community without receiving stabilizing treatment.

**I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.**

DATED this 30 day of May, 2023.



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Ryan Matthews  
Health Administrator  
Marion County Department of Health and  
Human Services

### CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing DECLARATION OF XXXXXXXX on:

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By the following indicated method or methods:

- ☐ By electronic means through the Court's Case Management/Electronic Case File system on the date set forth below;
- ☒ By mailing a full, true, and correct copy thereof in a sealed, first-class postage-prepaid envelope, addressed to the attorney's last known office address listed above and causing it to be deposited in the U.S. mail at Salem, Oregon on the date set forth below;
- ☐ By electronic means to the attorney's last-known e-mail address listed on the Oregon State Bar Online Membership Directory on the date set forth below;
- ☐ By causing a copy thereof to be hand-delivered to said attorney at each attorney's last-known office address listed above on the date set forth below;

DATED this \_\_\_\_ day of \_\_\_\_\_, 2022.

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